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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,577	09/25/2004	Dimitrios Karavias		5576

7590 09/08/2005
Dimitrios Karavias
3518 NE Couch Street
Portland, OR 97232

EXAMINER

KHAN, SUHAIL

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/711,577	Applicant(s) KARAVIAS, DIMITRIOS	
	Examiner Suhail Khan	Art Unit 2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☒ Claim(s) 1 and 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/25/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. The term 'such as' is used in claims 1 and 7. Replacement of “methods such as voice recognition/response system (VRS), a push button technology or a Graphical User Interface (GUI)” with -- voice recognition/response system (VRS)-- or --push button technology-- or -- Graphical User Interface (GUI)--, to choose one of the three in claim 1; And replacement of “standard protocols such as WAP and WML” with --WAP-- or --WML--, to choose one of the two in claim 7 is requested in order to provide clarity and precision to the claims.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-15 rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-15 rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent App.

Pub. No. 2003/0060214 to Hendrey et al.

Referring to **claim 1**, Hendrey et al disclose: GIS server (page 5, paragraph 57, GIS server) is engaged using a mobile phone (page 2, paragraph 29, cell phones; figure 5 shows communication between mobile unit and GIS server). A POI (page 3, paragraph 34, providing geographic information, points-of-interest) is communicated to the GIS server (page 5, paragraph 57, GIS server) through a mobile telephone (page 2, paragraph 29, cell phones). POI context can be communicated by methods such as voice recognition/response system (VRS), a push button technology or a Graphical User Interface (GUI) (page 2, paragraph 29, cell phones, push button technology incorporated). The GIS server is then engaged in session with the mobile telephone (figure 5 shows communication between mobile unit and GIS server).

Referring to **claim 2**, Hendrey et al disclose: a method and apparatus is invented to convert the GPS coordinates to a voice or text messages or touch-tone signals (page 1, paragraph 12, The state information can be provided by a GPS system, a change in state information results in location-based event, which triggers execution of one or more actions such as email, instant messaging, paging).

Referring to **claim 3**, Hendrey et al disclose a method and apparatus is invented to communicate the GPS coordinates of the mobile telephone to the GIS server (page 2, paragraph 30, LBS system including a position system coupled to a GIS database, page 5, paragraph 57,

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GIS server). The GPS coordinates are converted into encoded voice, text messages or touch-tone signals (page 1, paragraph 12, The state information can be provided by a GPS system, a change in state information results in location-based event, which triggers execution of one or more actions such as email, instant messaging, paging). The messages or signals are used to communicate the coordinates of the mobile telephone to the GIS server (figure 5 shows communication between mobile unit and GIS server).

Referring to **claim 4**, Hendrey et al disclose the mobile device session with the GIS server is established in three phases; Session Establishment, Session Engagement and Session Release (page 5, paragraph 57, GIS server, Registration, session).

Referring to **claim 5**, Hendrey et al disclose a session is established once the GIS server authenticates the validity of session request from the mobile telephone (page 5, paragraph 57, GIS server, session, figure 5 shows communication between mobile unit and GIS server).

Referring to **claim 6**, Hendrey et al disclose, while the session is engaged, GIS server (page 5, paragraph 57, GIS server) guides for the destination point of interest (page 3, paragraph 34, providing geographic information, points-of-interest), by the way of verbal or graphical commands (page 2, paragraph 29, cell phones; figure 5 shows communication between mobile unit and GIS server). Thus the GIS information is server based as opposed to the current convention of storing it on the local (client) based unit (page 5, paragraph 57, GIS server). During the entire course of engagement, the server gets the GPS coordinates of the mobile device at predetermined regular intervals and it continues to guide to the destination of interest (page 3, paragraph 34, providing geographic information; page 1, paragraph 12, GPS). GIS verifies the

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authenticity of the established session during each request and response (page 5, paragraph 57, GIS server, session).

Referring to **claim 7**, Hendrey et al disclose the mobile telephone of claim 1, based on its capacity can optionally receive textual information from the GIS server (figure 5 shows communication between mobile unit and GIS server). The textual information exchange in the form of request and response during the established session can optionally be standardized using standard protocols such as WAP and WML (page 4, paragraph 43, WAP).

Referring to **claim 8**, Hendrey et al disclose the GIS response can optionally be a complete route message or in the form of turn by turn instructions (page 4, paragraph 43, responses, WAP).

Referring to **claim 9**, Hendrey et al disclose the mobile telephone of claim 1, based on its capacity can optionally receive graphical information from the GIS server to display on the mobile phone unit (figure 5 shows communication between mobile unit and GIS server).

Referring to **claim 10**, Hendrey et al disclose the engagement session of claim 1 is optionally initiated by voice prompts, using a voice recognition server/unit (page 5, paragraph 57, session; page 2, paragraph 29, cell phones).

Referring to **claim 11**, Hendrey et al disclose the engagement session of claim 1 is optionally initiated by graphical prompts on the mobile telephone (figure 5 shows communication between mobile unit and GIS server).

Referring to **claim 12**, Hendrey et al disclose the navigational request (command) of claim 2 is created by encoding the GPS coordinates as voice commands (page 1, paragraph 12, GPS system).

Referring to **claim 13**, Hendrey et al disclose the command of claim 2 is optionally created by encoding the GPS coordinates as textual input (page 1, paragraph 12, GPS system).

Referring to **claim 14**, Hendrey et al disclose the command of claim 2 is optionally created by pushing the buttons on the mobile telephone or transmitting the encoded touch-tone signals (page 2, paragraph 29, cell phones, push button technology incorporated).

Referring to **claim 15**, Hendrey et al disclose the GIS guidance is server based enabling it to become a service. The service in claim 15 can optionally be engaged to metering and billing system to offer a variety of navigational choices. Not a claim (page 5, paragraph 57, GIS server).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to Navigation Operations in Wireless Systems.

U.S. Pat. No. 6799049 to Zellner et al.

U.S. Pat. No. 6526284 to Sharp et al.

U.S. Pat. App. Pub. No. 2003/0023726 to Rice et al.

U.S. Pat. App. Pub. No. 2003/0148775 to Spriestersbach et al.

U.S. Pat. App. Pub. No. 2005/0118983 to Van Camp

U.S. Pat. App. Pub. No. 2004/0203854 to Nowak

U.S. Pat. App. Pub. No. 2004/0203920 to Yoon

U.S. Pat. App. Pub. No. 2004/0023670 to Merheb

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suhail Khan whose telephone number is (571) 272-7910. The examiner can normally be reached on M-F from 8 am to 4:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold, can be reached at (571) 272-7905.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sk

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